

# **EXHIBIT 18**

BARTLEY F. LIVOLSKI  
AMY BARTOLETTI vs CITIGROUP INC.

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13-16

<p style="text-align: right;">Page 13</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. I was probably told by Frank Chin.</p> <p>3 Q. Do you know when you were told by</p> <p>4 Frank Chin?</p> <p>5 MR. BATTAGLIA: Objection. You</p> <p>6 may answer.</p> <p>7 A. I don't recall.</p> <p>8 Q. Was there a reduction in force in</p> <p>9 June of 2008?</p> <p>10 A. I don't recall.</p> <p>11 Q. Do you know if there was a</p> <p>12 reduction in force in December '07 or</p> <p>13 January 2008?</p> <p>14 A. May have been, but I don't recall</p> <p>15 for sure.</p> <p>16 Q. What was your role in the</p> <p>17 November 2008 RIF?</p> <p>18 MR. BATTAGLIA: Objection. You</p> <p>19 may answer.</p> <p>20 A. I was as a senior person who was</p> <p>21 manager of the regional operations for Smith</p> <p>22 Barney public finance. I was involved in</p> <p>23 discussions with my direct reports as to their</p> <p>24 personnel.</p> <p>25 Q. And who would be your direct</p>	<p style="text-align: right;">Page 15</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. No.</p> <p>3 Q. Did you speak to them one-on-one?</p> <p>4 A. In reference to what?</p> <p>5 Q. In reference to the November 2008</p> <p>6 RIF.</p> <p>7 A. One-on-one.</p> <p>8 Q. And did you speak to everyone over</p> <p>9 the phone?</p> <p>10 A. To my recollection.</p> <p>11 Q. Do you recall speaking to anyone</p> <p>12 in person?</p> <p>13 A. No, I don't recall that.</p> <p>14 Q. Why did you need to speak to your</p> <p>15 direct reports regarding personnel?</p> <p>16 A. By definition a RIF means</p> <p>17 reduction in force, and the objective was to</p> <p>18 determine who within each person's</p> <p>19 organization, region, could in fact be a</p> <p>20 candidate for a RIF.</p> <p>21 Q. Were you given any instructions</p> <p>22 from Frank Chin or David Brownstein about the</p> <p>23 RIF?</p> <p>24 A. I don't recall.</p> <p>25 Q. Do you recall being told to lay</p>
<p style="text-align: right;">Page 14</p> <p>1 B. F. LIVOLSKI</p> <p>2 reports?</p> <p>3 A. There were a number of them in the</p> <p>4 regional area would have been Wally Nunn, Norm</p> <p>5 Pellegrini, Ray Noga, Tony Hughes, Ray</p> <p>6 Kljajic, Tom Coomes.</p> <p>7 And then with respect to my</p> <p>8 responsibilities as the head of the northeast</p> <p>9 region there were a number, including Tim</p> <p>10 Egan, Tom Egan, Dan Thompson, Kristen</p> <p>11 Johanson, Jay Bartlett, Bill Mulrow, I believe</p> <p>12 Ben Cooper, could be Shai Markowitz, I am not</p> <p>13 sure, Dan Kim, George Lum, John Gavin, John</p> <p>14 Malpiede.</p> <p>15 Q. What was that last name?</p> <p>16 A. John Malpiede. You could find him</p> <p>17 in the Boston office.</p> <p>18 Q. Can you just spell his last name</p> <p>19 for me, please.</p> <p>20 A. M-A-L-P-I-E-D-E.</p> <p>21 Q. How about Daniel Cohen?</p> <p>22 A. Dan Cohen.</p> <p>23 Q. When you spoke to your direct</p> <p>24 reports, did you speak to them all at the same</p> <p>25 time?</p>	<p style="text-align: right;">Page 16</p> <p>1 B. F. LIVOLSKI</p> <p>2 off a certain number of people?</p> <p>3 A. I don't recall. I mean, I recall</p> <p>4 that there was a certain number of people, but</p> <p>5 I don't recall what the number was.</p> <p>6 Q. And were you told to lay off a</p> <p>7 certain number of people?</p> <p>8 A. I don't remember that.</p> <p>9 Q. So how do you recall that there</p> <p>10 was a certain number of people?</p> <p>11 A. Well, it didn't necessarily mean</p> <p>12 that they were all coming from my areas.</p> <p>13 Q. Okay. Do you recall how many</p> <p>14 people were supposed to be laid off from your</p> <p>15 area?</p> <p>16 A. I don't recall.</p> <p>17 Q. And were you told that you had to</p> <p>18 reduce a certain number of compensation?</p> <p>19 MR. BATTAGLIA: Objection.</p> <p>20 Q. Let me ask it again. Let me ask</p> <p>21 it a different way. Were you told that you</p> <p>22 had to reduce your region's budget by a</p> <p>23 certain amount of money?</p> <p>24 A. I don't recall specifically being</p> <p>25 told that, but having experienced RIFs before,</p>

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1 B. F. LIVOLSKI  
2 you saw?  
3 A. Could I repeat them now, could I  
4 tell you what they were, no. I mean, maybe if  
5 you reminded me or showed me something, I  
6 might be able to remember that.  
7 Q. Were you a sender or recipient of  
8 any of these e-mails?  
9 A. Mostly a recipient, occasionally a  
10 sender.  
11 Q. I believe you testified that you  
12 had at least one discussion with Norm  
13 Pellegrini about the November 2008 RIF; is  
14 that correct?  
15 A. Yes.  
16 Q. Did you have more than one  
17 conversation with Mr. Pellegrini about the  
18 RIF?  
19 A. Probably.  
20 Q. Do you know how many?  
21 A. I don't.  
22 Q. Do you know if these conversations  
23 were face to face?  
24 A. I don't recall.  
25 Q. Do you recall if it was over the

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1 B. F. LIVOLSKI  
2 phone?  
3 A. Probably.  
4 Q. And do you recall what you  
5 discussed with Mr. Pellegrini the first time  
6 you spoke?  
7 A. No.  
8 Q. Do you recall what you discussed  
9 with Mr. Pellegrini the second time you spoke?  
10 A. Obviously we talked about his  
11 personnel.  
12 Q. And what specifically did you talk  
13 about?  
14 A. I don't recall.  
15 Q. Did you talk about which people  
16 should be laid off?  
17 A. We talked about all of its people.  
18 Q. For what purpose?  
19 A. To discuss and decide on who might  
20 be a candidate to be laid off.  
21 Q. Do you recall discussing names of  
22 people?  
23 A. I don't recall, but I am sure we  
24 discussed each and every individual that works  
25 for him.

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1 B. F. LIVOLSKI  
2 Q. Do you know if he discussed every  
3 single person that worked for him?  
4 A. I would believe we did.  
5 Q. So everyone in his group was  
6 considered for layoff?  
7 A. Yes.  
8 Q. And how did you know how many  
9 people to identify as a candidate for a  
10 layoff?  
11 MR. BATTAGLIA: Objection. You  
12 can answer.  
13 A. Can you be a little more specific?  
14 Q. Sure. When you were talking to  
15 Mr. Pellegrini about candidates for layoff,  
16 how did you -- let me back up. How many  
17 people were laid off from Mr. Pellegrini's  
18 group in connection with the November 2008  
19 RIF?  
20 A. Two.  
21 Q. Do you know who they were?  
22 A. Nadine Mentor and Brent Wilder.  
23 Q. Were those two people that you and  
24 Mr. Pellegrini identified as candidates?  
25 A. We talked about them, yes. They

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1 B. F. LIVOLSKI  
2 were identified.  
3 Q. Why did you identify only two --  
4 did you identify anymore than these two  
5 people?  
6 A. Everyone was discussed.  
7 Q. And why did you identify these two  
8 as opposed to three or as opposed to one?  
9 A. We identified those that we  
10 thought that were weakest candidates and most  
11 susceptible to being let go.  
12 Q. I guess what I am trying to get at  
13 is, why did you identify two people as opposed  
14 to one person?  
15 A. I didn't --  
16 MR. BATTAGLIA: Objection. You  
17 may answer.  
18 A. I didn't say we identified -- we  
19 identified two people, but that was not the  
20 intention or the instruction. We weren't  
21 instructed to identify two people, one person,  
22 six people.  
23 Q. What was the instruction?  
24 A. When we do a RIF, we -- the way I  
25 do a RIF, is we look at the entire department

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1 B. F. LIVOLSKI  
2 and you try to get the weakest candidates. It  
3 doesn't -- it is not geographic, it is not  
4 from within any specific region. You are not  
5 assigned that there is one from here and one  
6 from there. It is the weakest candidates  
7 within the organization.  
8 Q. So was everybody in all the  
9 regions fair game?  
10 A. Absolutely.  
11 Q. So you didn't have to pick any  
12 people, for example, from the southeast  
13 region, right?  
14 A. I didn't have to pick anybody from  
15 any region.  
16 Q. Did Frank Chin instruct to you to  
17 identify candidates for layoff from any of  
18 your regions?  
19 A. I don't recall that.  
20 Q. But Frank Chin did ask you to  
21 identify people?  
22 A. When we talk about identifying  
23 people, it is throughout the entire public  
24 finance department.  
25 Q. By you are responsible for the

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1 B. F. LIVOLSKI  
2 regions, correct?  
3 A. And I would identify people that I  
4 was responsible for or knew more about than  
5 others.  
6 Q. So everyone in all the regions was  
7 considered for layoff?  
8 A. Yes.  
9 Q. So for example, you could have in  
10 theory laid off everyone from the western  
11 region?  
12 A. Yes.  
13 MR. BATTAGLIA: Objection.  
14 Q. Did Frank Chin give you any  
15 criteria to work with regarding who to select  
16 for layoff?  
17 A. I don't recall.  
18 Q. Do you recall if anybody gave you  
19 any criteria?  
20 A. No, I don't.  
21 Q. What criteria did you utilize in  
22 determining the layoff?  
23 A. I did a review, my own review of  
24 each and every person within the organization.  
25 At least within my regions and made a

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1 B. F. LIVOLSKI  
2 determination based on performance, potential,  
3 client base, depth of relationships, banking  
4 skills.  
5 Q. Did you conduct this review on  
6 your own?  
7 A. I discussed --  
8 MR. BATTAGLIA: Objection. You  
9 may answer. You may answer.  
10 A. I discussed that with each of my  
11 regional managers.  
12 Q. For the southeast region you would  
13 have had this discussion with Mr. Pellegrini,  
14 correct?  
15 A. Correct.  
16 Q. And you identified, I guess, five  
17 criteria. Were all five criteria discussed  
18 with Mr. Pellegrini?  
19 A. I don't recall.  
20 Q. You don't recall if you discussed  
21 these five criteria?  
22 A. I don't recall. Possibly.  
23 Q. Is it likely that you discussed it  
24 since this was part of your review?  
25 A. Likely.

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1 B. F. LIVOLSKI  
2 Q. In connection with your review,  
3 did you look at any documents?  
4 A. Any documents with Norm  
5 Pellegrini?  
6 Q. Yes.  
7 A. Not that I recall.  
8 Q. How about your own?  
9 A. Not that I recall.  
10 Q. When you said you reviewed  
11 people's performance, did you look at  
12 everyone's performance evaluations?  
13 A. What do you mean by "evaluations"?  
14 Q. Performance appraisals.  
15 A. I don't recall if I did.  
16 Q. Were you familiar with the  
17 performance of every individual that works in  
18 your region?  
19 A. No.  
20 Q. So then did you use any document  
21 to assist you in determining the performance  
22 of people in your region?  
23 A. No.  
24 Q. How could you have made a  
25 determination as to people's performance?

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1 B. F. LIVOLSKI  
2 A. Because I know what everybody  
3 does.  
4 Q. You just testified that you  
5 weren't familiar with the performance of  
6 everyone in your region.  
7 A. Excuse me?  
8 Q. Didn't you just testify that you  
9 weren't familiar with the performance of  
10 everyone in your region?  
11 A. I am familiar with each and  
12 person's performance. Not on each and every  
13 account, I know basically what their skills  
14 are. I know what their potential is. I know,  
15 through discussion with regional managers,  
16 what he views or they view as their potential,  
17 their capabilities. We discuss things like  
18 ramifications of losing a person, potential  
19 for the future, all of those come into play.  
20 I do not specifically recall  
21 looking at someone's revenues or total client  
22 base or identified relationships. What we do  
23 with our organization is we are inclusive in  
24 our performance with people. People do not  
25 work on their own, they work as a team.

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1 B. F. LIVOLSKI  
2 People contribute little bits of pieces, big  
3 bits of pieces that all together creates,  
4 hopefully, a successful result and successful  
5 environment.  
6 We would be more inclusive than  
7 exclusive.  
8 Q. So you had no personal knowledge  
9 of people's performance; is that correct?  
10 MR. BATTAGLIA: Objection.  
11 A. I don't -- personal knowledge, how  
12 would you define that?  
13 Q. Well, did you ever work on any  
14 transactions with Nadine Mentor?  
15 A. No, not that I recall.  
16 Q. And do you recall the numerical  
17 score she got in her 2007 performance  
18 evaluation?  
19 MR. BATTAGLIA: Objection.  
20 A. I don't recall.  
21 Q. Do you recall any of the comments  
22 on her evaluation?  
23 A. I don't recall.  
24 Q. Did you comment about her  
25 performance on her 2007 evaluation?

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1 B. F. LIVOLSKI  
2 MR. BATTAGLIA: Objection.  
3 A. I don't recall.  
4 Q. Were you in a position to comment  
5 on her performance on her 2007 evaluation?  
6 MR. BATTAGLIA: Objection.  
7 A. I guess I could have.  
8 Q. Based on what?  
9 MR. BATTAGLIA: Objection.  
10 A. As a head of the region, I could  
11 review anybody's review.  
12 Q. What knowledge would you have  
13 about her performance?  
14 A. It is --  
15 MR. BATTAGLIA: Objection. Asked  
16 and answered. You may answer.  
17 THE WITNESS: Excuse me?  
18 MR. BATTAGLIA: You may answer.  
19 A. I would know about her performance  
20 because of discussions of observations,  
21 discussions with regional manager, discussions  
22 with people within my group in the northeast  
23 group.  
24 And I would not only know about  
25 some of the things, not all of the things she

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1 B. F. LIVOLSKI  
2 does of her, but of everyone within the  
3 regional operation.  
4 Q. So you don't have firsthand  
5 knowledge of her performance, right?  
6 MR. BATTAGLIA: Objection.  
7 A. No.  
8 Q. Is that true for everyone in the  
9 group?  
10 MR. BATTAGLIA: Objection.  
11 Q. All of the people that work in the  
12 northeast region?  
13 A. I can't say that for sure. I  
14 might have worked on a deal with others in  
15 other regions, and then would have firsthand  
16 knowledge.  
17 Q. So unless you have worked with the  
18 person, you wouldn't really have firsthand  
19 knowledge of their performance, correct?  
20 MR. BATTAGLIA: Objection.  
21 A. I would have firsthand knowledge  
22 if I worked with them on a transaction in  
23 certain areas like technical skills.  
24 Q. You also testified that in  
25 connection with the review you looked at the



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1 B. F. LIVOLSKI  
2 potential of a person.  
3 MR. BATTAGLIA: Objection.  
4 Q. Is that correct?  
5 A. Yes.  
6 Q. And how did you gauge someone's  
7 potential?  
8 A. How they carried themselves, what  
9 people perceive of them, what clients might  
10 think of them, what bankers, senior bankers  
11 would think of them, what I know to be their  
12 client base or potential client base, their  
13 market territory. It is not an exact science.  
14 Q. And did you use any documents in  
15 connection with your review of someone's  
16 potential?  
17 A. No.  
18 Q. Did you speak to any clients about  
19 someone's potential?  
20 A. Not that I recall.  
21 Q. And did you --  
22 A. Let me rephrase that. Are you  
23 saying Nadine's or are you saying any banker's  
24 potential?  
25 Q. Let's say Nadine's.

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1 B. F. LIVOLSKI  
2 A. I don't recall that.  
3 Q. How about other bankers?  
4 A. Likely, but I can't say for sure.  
5 Q. So you called up a client and  
6 asked them how they perceive?  
7 A. I may know the client.  
8 Q. And is that what you did?  
9 MR. BATTAGLIA: Objection.  
10 Q. You called the client to ask them  
11 how they perceived people that work for you?  
12 MR. BATTAGLIA: Objection.  
13 A. I can't say for sure that I called  
14 the client. I see clients and I may have had  
15 a face-to-face conversation. I may have  
16 called them, it may have been in passing. It  
17 would not have been intentional.  
18 Q. Do you know any of Nadine Mentor's  
19 clients?  
20 MR. BATTAGLIA: Objection.  
21 A. I have met the -- let me rephrase  
22 that.  
23 They weren't her clients. If you  
24 are asking did I know any of the clients where  
25 she may have worked on deals, I know that I

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1 B. F. LIVOLSKI  
2 have met the State Treasurer of Connecticut.  
3 Q. And did you speak with the State  
4 Treasurer of Connecticut about Nadine's  
5 performance?  
6 A. Not that I recall.  
7 Q. Did you speak to the State  
8 Treasurer of Connecticut about Nadine's  
9 potential?  
10 A. No.  
11 Q. Did you speak to the State  
12 Treasurer of Connecticut about how they, he,  
13 she, perceived Nadine?  
14 A. Not likely.  
15 Q. I believe you testified that  
16 Nadine worked on a client who was the State  
17 Treasurer of Connecticut?  
18 A. Worked as part of a transaction  
19 team.  
20 Q. And whose client was that?  
21 A. I would identify that client as  
22 Kristen Johanson, who is the senior person in  
23 the overall relationship manager for the State  
24 of Connecticut.  
25 Q. Do you know if Nadine had any

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1 B. F. LIVOLSKI  
2 relationships with the State Treasurer of  
3 Connecticut?  
4 A. My understanding through Kristen  
5 is that Nadine knew the state treasurer.  
6 Q. Knew the state treasurer?  
7 A. Yes.  
8 Q. And what makes the state treasurer  
9 Kristen Johanson's client?  
10 A. She has worked in that state for  
11 many, many years long before anyone else in  
12 our organization. She has had in-depth  
13 knowledge of the accounts. She has worked  
14 with deputy state treasurers. She has worked  
15 with legislatures. She has an extensive  
16 background and knowledge of the account.  
17 Q. Did you speak to Kristen Johanson  
18 about Nadine's performance?  
19 A. I don't recall.  
20 Q. Did you speak to Kristen Johanson  
21 about Nadine's potential?  
22 A. I don't recall.  
23 Q. How about how she perceived  
24 Nadine?  
25 A. I don't recall.





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1 B. F. LIVOLSKI  
2 Q. Is Kristen Johanson considered a  
3 senior banker?  
4 A. Yes.  
5 Q. Did you speak to any senior  
6 bankers about Nadine's performance?  
7 MR. BATTAGLIA: Objection.  
8 A. Norm Pellegrini.  
9 Q. Anyone else?  
10 A. No.  
11 Q. Did you speak to any senior  
12 bankers about Nadine's potential?  
13 A. No, except for Norm Pellegrini,  
14 not that I recall.  
15 Q. Did Nadine have any clients at  
16 Citigroup?  
17 MR. BATTAGLIA: Objection.  
18 A. Most people at Citigroup don't  
19 have clients. Citigroup has clients. She  
20 along with others works on client transactions  
21 and for clients.  
22 Q. Now do you know any of the clients  
23 that Nadine worked on other than the State  
24 Treasurer of Connecticut?  
25 A. She worked on Virgin Islands. And

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1 B. F. LIVOLSKI  
2 I am not even sure that we ever did a deal  
3 there. Just I know she was working on the  
4 Virgin Islands.  
5 Q. And did she bring the Virgin  
6 Islands to Citigroup?  
7 A. I don't recall that.  
8 MR. BATTAGLIA: Objection.  
9 Q. Do you know if Citigroup has ever  
10 done a transaction with the Virgin Islands?  
11 A. Yes.  
12 Q. How many deals have they done with  
13 the Virgin Islands?  
14 A. Possibly two.  
15 Q. And when were those deals?  
16 A. They would have been done at the  
17 last three year time frame.  
18 Q. Is that before or after Nadine was  
19 laid off?  
20 A. I can't say for sure, probably  
21 after.  
22 Q. And who would have worked on those  
23 deals?  
24 A. Guy Logan would have been the  
25 senior banker.

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1 B. F. LIVOLSKI  
2 Q. Why guy Logan?  
3 A. Guy Logan was a senior banker who  
4 knew a lot of folks. He may have been  
5 involved in the Virgin Islands transaction  
6 early on. I don't know exactly how he ended  
7 up there.  
8 Q. You testified earlier that in  
9 connection with identifying candidates for  
10 layoff you reviewed a candidate's client base;  
11 is that correct?  
12 MR. BATTAGLIA: Objection.  
13 A. I don't recall saying I reviewed a  
14 candidate's client base, but I had discussions  
15 with each manager as to their bankers and  
16 their client base that they might in fact work  
17 on.  
18 Q. So clients that they worked on?  
19 A. Yes.  
20 Q. And who did you speak to about  
21 Nadine's client base?  
22 A. Norm Pellegrini.  
23 Q. Anyone else?  
24 A. Not that I recall.  
25 Q. And you also testified that in

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1 B. F. LIVOLSKI  
2 connection with identifying candidates for  
3 layoff, you reviewed depth of relationships;  
4 is that correct?  
5 MR. BATTAGLIA: Objection.  
6 A. Yes, through discussion with  
7 regional managers.  
8 Q. And did you discuss the depth of  
9 relationships that Nadine had with clients?  
10 A. With clients?  
11 Q. With anyone.  
12 A. Can you rephrase?  
13 Q. Let me ask that again.  
14 Did you discuss the depth of  
15 relationships Nadine had with clients?  
16 MR. BATTAGLIA: Objection.  
17 A. I don't -- I am not following the  
18 question.  
19 MR. BATTAGLIA: Did you ask it  
20 with the clients or did he ask depth of  
21 relationship with clients with someone  
22 else?  
23 MR. DATOO: With someone else.  
24 A. I don't recall specifically, but  
25 probably had discussions with Norm Pellegrini



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<p style="text-align: right;">Page 45</p> <p>1 B. F. LIVOLSKI</p> <p>2 about her relationships with clients.</p> <p>3 Q. Anyone else?</p> <p>4 A. Possibly Kristen Johanson, but I</p> <p>5 am not sure.</p> <p>6 Q. Why would you have spoken to</p> <p>7 Kristen Johanson?</p> <p>8 A. Kristen Johanson was a senior</p> <p>9 banker in the State of Connecticut and, you</p> <p>10 know, I can't say for sure that Kristen has</p> <p>11 never come to me and said, I worked with</p> <p>12 Nadine on this and she was very good or she</p> <p>13 was very bad.</p> <p>14 Q. I believe you also testified that</p> <p>15 in connection with identifying a candidate for</p> <p>16 layoff you reviewed banking skills; is that</p> <p>17 correct?</p> <p>18 MR. BATTAGLIA: Objection. You</p> <p>19 can answer.</p> <p>20 A. Banking skills would have been</p> <p>21 defined. I would have been told about banking</p> <p>22 skills basically from the regional manager.</p> <p>23 Q. What was your view of Nadine's</p> <p>24 banking skills?</p> <p>25 MR. BATTAGLIA: Objection.</p>	<p style="text-align: right;">Page 47</p> <p>1 B. F. LIVOLSKI</p> <p>2 these conversations with.</p> <p>3 Q. Is that true as of November 2008?</p> <p>4 MR. BATTAGLIA: Objection.</p> <p>5 A. It would be true, sure. It would</p> <p>6 be true that I wouldn't remember those</p> <p>7 conversations.</p> <p>8 Q. Did you and Norm Pellegrini</p> <p>9 identify Nadine together as a candidate for</p> <p>10 layoff?</p> <p>11 A. I don't recall that.</p> <p>12 Q. Who would have identified her for</p> <p>13 layoff?</p> <p>14 A. We could have identified her</p> <p>15 together. He may have suggested it. I would</p> <p>16 have thought about everybody within the region</p> <p>17 and decided on, you know, what their skills</p> <p>18 were, what their client base was and</p> <p>19 unfortunately picked those that, you know, we</p> <p>20 would conclude were the most expendable.</p> <p>21 You have to understand something,</p> <p>22 every banker looked at during any of these</p> <p>23 RIFs, these were qualified people. We were</p> <p>24 cutting into muscle. We were not eliminating</p> <p>25 people that weren't good. So you had to be,</p>
<p style="text-align: right;">Page 46</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. My impression was enthusiastic,</p> <p>3 inexperienced.</p> <p>4 MR. BATTAGLIA: Enthusiastic,</p> <p>5 inexperienced?</p> <p>6 THE WITNESS: Enthusiastic as a</p> <p>7 banker, inexperienced as a banker.</p> <p>8 Q. You didn't work with her on any of</p> <p>9 the transactions, though, did you?</p> <p>10 MR. BATTAGLIA: Objection.</p> <p>11 A. Not that I recall.</p> <p>12 Q. How did you form this opinion of</p> <p>13 Nadine's banking skills?</p> <p>14 MR. BATTAGLIA: Objection. Asked</p> <p>15 and answered.</p> <p>16 A. I would have picked that up mostly</p> <p>17 from the regional manager, as well as</p> <p>18 potentially conversations with her related to</p> <p>19 just facts within the industry.</p> <p>20 Q. What do you mean by "facts within</p> <p>21 the industry"?</p> <p>22 A. Well, techniques, ideas,</p> <p>23 structures, etc.. I may have, may not have.</p> <p>24 I have approximately 55 people working in</p> <p>25 regions. I can't remember which ones I've had</p>	<p style="text-align: right;">Page 48</p> <p>1 B. F. LIVOLSKI</p> <p>2 you know -- you had to look at exactly, you</p> <p>3 know, what their value would be versus others</p> <p>4 within the department and then make a decision</p> <p>5 accordingly.</p> <p>6 Q. You testified earlier that you</p> <p>7 didn't have to identify anyone for layoff,</p> <p>8 correct?</p> <p>9 MR. BATTAGLIA: Objection.</p> <p>10 A. I just finished saying that we</p> <p>11 identified -- we looked at everyone throughout</p> <p>12 the department.</p> <p>13 Q. But you testified earlier that you</p> <p>14 didn't have to identify anyone, correct?</p> <p>15 MR. BATTAGLIA: Objection.</p> <p>16 A. What I testified, to my</p> <p>17 recollection, was that I didn't have to select</p> <p>18 anyone from any specific region.</p> <p>19 Q. Okay. Now in connection with your</p> <p>20 review of identifying candidates for layoff,</p> <p>21 did you review how much money someone made?</p> <p>22 MR. BATTAGLIA: Objection.</p> <p>23 A. I would not have specifically</p> <p>24 looked at revenue sheets because, as I said</p> <p>25 before, we are an inclusive organization. So</p>



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<p style="text-align: right;">Page 53</p> <p>1 B. F. LIVOLSKI</p> <p>2 client, her potential client base or accounts</p> <p>3 that she -- were out there that if she weren't</p> <p>4 part of the organization, how would it effect</p> <p>5 our southeast operation. I remember</p> <p>6 discussion of having talked about her being a</p> <p>7 director first as a vice president, in that</p> <p>8 she probably was promoted too quickly.</p> <p>9 And we talked about every</p> <p>10 individual in the region and what their focus</p> <p>11 was, what their contribution to a specific</p> <p>12 product or geographic location was. And at</p> <p>13 the end of the day, we concluded that Nadine</p> <p>14 and Brent would have effected, if they were</p> <p>15 not part of the organization, would effect us</p> <p>16 the least.</p> <p>17 Q. Do you recall looking at how much</p> <p>18 money she was paid by Citigroup?</p> <p>19 MR. BATTAGLIA: Objection. You</p> <p>20 can answer.</p> <p>21 A. I don't recall.</p> <p>22 Q. Do you recall looking at the</p> <p>23 number of transactions she worked on?</p> <p>24 A. I don't recall that.</p> <p>25 Q. Do you recall looking at the</p>	<p style="text-align: right;">Page 55</p> <p>1 B. F. LIVOLSKI</p> <p>2 with her was that she was doing her job.</p> <p>3 Q. Well, she was promoted early to</p> <p>4 director, wasn't she?</p> <p>5 MR. BATTAGLIA: Yes.</p> <p>6 A. Yes.</p> <p>7 Q. So she was doing a pretty good</p> <p>8 job, wasn't she?</p> <p>9 MR. BATTAGLIA: Objection.</p> <p>10 A. Depending on what you think of</p> <p>11 being a director versus a vice president.</p> <p>12 Q. Well, how about what you think.</p> <p>13 A. Well, I think that director is a</p> <p>14 nice title that is something that a lot of</p> <p>15 people get and have. It helps them in their</p> <p>16 stature within the industry, and generally it</p> <p>17 is an irrelevant title. It is a title within</p> <p>18 our division. It is a title that you could --</p> <p>19 we have directors that do vice president's</p> <p>20 work and we have vice presidents that do</p> <p>21 directors work.</p> <p>22 The most meaningful titles within</p> <p>23 the divisions are the one that are corporate</p> <p>24 titles, managing director. So making someone</p> <p>25 a director -- and I am not suggesting that</p>
<p style="text-align: right;">Page 54</p> <p>1 B. F. LIVOLSKI</p> <p>2 amount of revenue that was generated from the</p> <p>3 transactions she worked on?</p> <p>4 A. I don't recall if we did.</p> <p>5 Possible.</p> <p>6 Q. Do you recall looking at the</p> <p>7 clients she covered?</p> <p>8 MR. BATTAGLIA: Objection.</p> <p>9 A. I don't recall that. Again, I'd</p> <p>10 like to indicate that, as I said before, our</p> <p>11 reporting of bankers working on clients and</p> <p>12 their contribution was very liberal. We</p> <p>13 encouraged team play, and as a result, we put</p> <p>14 a lot of bankers on a lot of accounts so that</p> <p>15 all of the resources of public finance could</p> <p>16 be brought to bear on any transaction.</p> <p>17 Q. Did you talk about Nadine's work</p> <p>18 performance with Mr. Pellegrini?</p> <p>19 MR. BATTAGLIA: Objection.</p> <p>20 A. I don't recall that.</p> <p>21 Q. What did you think about her work</p> <p>22 performance?</p> <p>23 MR. BATTAGLIA: Objection. You</p> <p>24 may answer.</p> <p>25 A. You know, my limited experience</p>	<p style="text-align: right;">Page 56</p> <p>1 B. F. LIVOLSKI</p> <p>2 Nadine didn't earn it or didn't deserve it,</p> <p>3 all I am saying is that from my perspective</p> <p>4 that was a way of satisfying and encouraging</p> <p>5 employees to continue to be successful and</p> <p>6 work hard.</p> <p>7 Q. If a director title is irrelevant,</p> <p>8 why did you just testified that you promoted</p> <p>9 her too early?</p> <p>10 A. Well, because what happens is</p> <p>11 sometimes bankers put too much -- they have</p> <p>12 too much expectation either on themselves or</p> <p>13 in the group that they are working on. They</p> <p>14 are viewed as a director, when in fact they</p> <p>15 are really doing vice president's work.</p> <p>16 My feeling was at that point, that</p> <p>17 although Nadine was maturing and growing and</p> <p>18 that that title was a nice title, you know, to</p> <p>19 have her on her business card, that she was</p> <p>20 doing basically, from what I could ascertain</p> <p>21 from Norm, vice president's work.</p> <p>22 Q. Well, she was a rare talent,</p> <p>23 wasn't she?</p> <p>24 MR. BATTAGLIA: Objection.</p> <p>25 A. How do you define that?</p>

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<p style="text-align: right;">Page 69</p> <p>1 B. F. LIVOLSKI</p> <p>2 layoff?</p> <p>3 MR. BATTAGLIA: Objection.</p> <p>4 A. I don't recall that.</p> <p>5 Q. Is it fair to say that you and</p> <p>6 Mr. Pellegrini made the decision to select</p> <p>7 Nadine for layoff?</p> <p>8 A. That's fair.</p> <p>9 Q. And once you identified Nadine for</p> <p>10 layoff, what did you do?</p> <p>11 A. I don't recall.</p> <p>12 Q. Did you speak to Frank Chin?</p> <p>13 A. Likely.</p> <p>14 Q. Did you let him know?</p> <p>15 A. Likely.</p> <p>16 Q. Did you do anything else?</p> <p>17 A. It was what five, six years ago.</p> <p>18 Q. Four years ago.</p> <p>19 A. Four years ago. I can't remember.</p> <p>20 Q. Do you know if Mr. Pellegrini did</p> <p>21 anything else after Nadine was identified for</p> <p>22 layoff?</p> <p>23 A. I don't recall.</p> <p>24 Q. Did you agree with the decision to</p> <p>25 select Nadine for layoff?</p>	<p style="text-align: right;">Page 71</p> <p>1 B. F. LIVOLSKI</p> <p>2 in Florida for many years and one of the</p> <p>3 reasons why we would have wanted to hire the</p> <p>4 folks from the UBS office.</p> <p>5 Marc Weinberg had strong family</p> <p>6 connections, knew a lot of people throughout</p> <p>7 the state and he was someone who understood</p> <p>8 the business very well and was very competent.</p> <p>9 I could -- I could go on.</p> <p>10 MR. BATTAGLIA: That's okay.</p> <p>11 Q. Did you discuss --</p> <p>12 A. I could tell you each one, but --</p> <p>13 Q. Please continue then.</p> <p>14 MR. BATTAGLIA: What's the pending</p> <p>15 question, people he considered with Norm</p> <p>16 Pellegrini?</p> <p>17 Q. What did you discuss with</p> <p>18 Mr. Pellegrini about Rick Paterson?</p> <p>19 A. Rick Paterson was an interesting</p> <p>20 discussion. From what I could recall in that</p> <p>21 Rick may have been a managing director at that</p> <p>22 time, I think so. Was a derivative expert who</p> <p>23 had had school business, as well as Tampa Bay</p> <p>24 business for many years. And given his</p> <p>25 capabilities in the derivatives space and</p>
<p style="text-align: right;">Page 70</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. Yes.</p> <p>3 MR. BATTAGLIA: Objection.</p> <p>4 Q. How about Mr. Wilder?</p> <p>5 A. Yes.</p> <p>6 Q. Were there any other people you</p> <p>7 discussed with Mr. Pellegrini that you</p> <p>8 identified for layoff?</p> <p>9 MR. BATTAGLIA: Objection.</p> <p>10 A. Well, I could tell you that we</p> <p>11 probably discussed every person. As I said</p> <p>12 before, the objective was to come to the</p> <p>13 proper conclusions. I would have thought that</p> <p>14 we would have touched on each person. That</p> <p>15 they may not have been lengthy conversations,</p> <p>16 but we would have touched on each person.</p> <p>17 As an example, we would have</p> <p>18 talked about Michael Ho. Michael Ho has, you</p> <p>19 know, dominated business in the south of</p> <p>20 Florida, Louisiana, Tennessee. A significant</p> <p>21 producer and someone who has worked on many of</p> <p>22 the accounts that I had established over the</p> <p>23 years.</p> <p>24 Mike Baldwin would have been</p> <p>25 somebody who has dominated the school business</p>	<p style="text-align: right;">Page 72</p> <p>1 B. F. LIVOLSKI</p> <p>2 given the problems that the industry was</p> <p>3 having with derivatives, it made sense that he</p> <p>4 would be part of our organization going</p> <p>5 forward.</p> <p>6 Q. How about Robert Szostak?</p> <p>7 A. Robert Szostak, I don't recall</p> <p>8 talking about him. He is a public power guy,</p> <p>9 good experience, did some work in the western</p> <p>10 part of the state, probably focused more on</p> <p>11 power and possibly renewals, renewal of merge.</p> <p>12 Q. Did you talk about Nadine?</p> <p>13 MR. BATTAGLIA: Objection.</p> <p>14 A. Of course we talked about Nadine.</p> <p>15 I remember discussing Connecticut because I</p> <p>16 knew secondhand from Kristen that she had been</p> <p>17 involved in Connecticut. We talked about what</p> <p>18 other areas did she have a significant role or</p> <p>19 a major influence. And quite frankly, there</p> <p>20 weren't.</p> <p>21 Q. How about Broward County?</p> <p>22 A. We may have -- she may have been</p> <p>23 asked to work in Broward County, help us</p> <p>24 there.</p> <p>25 Q. Did you discuss the Virgin</p>

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1 B. F. LIVOLSKI

2 Q. Are you referring to a specific

3 document?

4 MR. BATTAGLIA: Objection.

5 A. When you say "revenue sheets,"

6 there is a revenue sheet that is generated for

7 each region. And that revenue sheet lists

8 every transaction that's been done in that

9 region or product group -- could be a product

10 group as well as a region -- and who are all

11 the bankers associated with that transaction

12 and all the product or regional groups

13 associated with that transaction.

14 Q. Is there a document that reflects

15 how many transactions were conducted with

16 school districts in 2008?

17 A. A document that just isolates

18 school districts?

19 Q. Yes.

20 A. Probably not. Probably doesn't --

21 just isolate school districts. Probably is

22 included within the revenue sheets of the

23 entire region.

24 Q. So for example, if I wanted to

25 find out how many school transactions were

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1 B. F. LIVOLSKI

2 conducted in the southeast group for 2008, I

3 would have to look at the document that lists

4 all the transactions for that group for that

5 year?

6 A. There may be a way to put

7 something into a program that would split out

8 all of the school districts. I don't know.

9 There could very well be. My tool would be

10 what the region is doing, what the accounts

11 are that they have done and what the, you

12 know, what are the revenues for that region.

13 Q. Is that a document, is that

14 information contained on that document?

15 MR. BATTAGLIA: Is that what?

16 Q. Is the information that you just

17 said --

18 A. That I utilized?

19 Q. Yes.

20 A. Whenever I request a revenue sheet

21 for the region, they will produce it for me.

22 And it is typically I will give them a time

23 frame.

24 Q. Okay. How were derivatives doing

25 in 2008?

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1 B. F. LIVOLSKI

2 A. The derivative business was

3 probably in significant danger. A lot of it

4 revolved around variable rate axis, as well as

5 insurance. Both areas were having their

6 problems. So I would suspect that there

7 wasn't a lot of new derivative business, but

8 there were significant monitoring and unwinds

9 that would be part of the business.

10 Q. What do you mean by "unwinds"?

11 A. In other words, trying to get

12 clients out of the derivative trades that they

13 were in.

14 Q. Who was working on derivatives in

15 the southeast group?

16 A. The major focus would have been

17 Rick Paterson as the derivative person within

18 the region.

19 MR. BATTAGLIA: Just to clarify,

20 we're talking about 2008?

21 MR. DATOO: Yes.

22 Q. How about 2007?

23 A. It would have been Rick Paterson.

24 Q. Why wasn't Rick Paterson

25 identified for layoff?

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1 B. F. LIVOLSKI

2 A. Why was he?

3 Q. Why wasn't he?

4 MR. BATTAGLIA: Objection.

5 A. I don't -- when you say

6 identified, can you be a little more specific?

7 Why wasn't he picked, why wasn't he

8 selected --

9 Q. Yes.

10 A. -- as one of the people?

11 Q. Yes.

12 A. Well, because not only did he have

13 a history of being a leader with clients, but

14 he also was a derivatives expert which would

15 have come in significance and handy because of

16 the unwinds and etc., going forward.

17 Q. Has the derivatives business

18 picked up since '08?

19 A. No. But it has -- but unwinds

20 continue.

21 Q. Is there anyone else --

22 A. Innovations continue.

23 Q. Could anyone else have handled

24 derivatives in the southeast group?

25 A. No. Well, I mean, you could have

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<p style="text-align: right;">Page 81</p> <p>1 B. F. LIVOLSKI</p> <p>2 -- any banker could have probably tried, that</p> <p>3 doesn't mean it would be done in an expert</p> <p>4 way. That's not to say -- if a senior</p> <p>5 manager -- if Palm Beach county did a</p> <p>6 derivative and Michael Ho for the sake of</p> <p>7 argument was the senior banker on that</p> <p>8 account, he would -- and a derivative trade</p> <p>9 took place, Rick Paterson would be involved in</p> <p>10 that, Michael Ho would at least be involved in</p> <p>11 that from a client-relationship perspective.</p> <p>12 Q. Rick Paterson was a managing</p> <p>13 director, right?</p> <p>14 A. I believe so.</p> <p>15 Q. Is he still with Citi?</p> <p>16 A. He is not.</p> <p>17 Q. When did he leave?</p> <p>18 A. He left in 2011.</p> <p>19 Q. Do you know why?</p> <p>20 A. He was RIFed.</p> <p>21 Q. I am sorry?</p> <p>22 A. I think he was part of a RIF.</p> <p>23 Q. Who is handling derivatives now?</p> <p>24 A. Unwinds are basically being</p> <p>25 handled in addition to the relationship</p>	<p style="text-align: right;">Page 83</p> <p>1 B. F. LIVOLSKI</p> <p>2 the probability is yes.</p> <p>3 Q. Do you know how much more?</p> <p>4 A. I have no idea.</p> <p>5 Q. Do you know what the base salary</p> <p>6 of a managing director was in '08?</p> <p>7 A. It could be \$250,000.</p> <p>8 Q. Do you know what the base salary</p> <p>9 for managing director was in '08 -- for</p> <p>10 director in '08?</p> <p>11 MR. BATTAGLIA: Objection.</p> <p>12 A. Maybe 150'ish, range. I am not</p> <p>13 quite sure.</p> <p>14 Q. Does the incentive comp differ</p> <p>15 from managing directors to directors?</p> <p>16 MR. BATTAGLIA: Objection.</p> <p>17 A. In most cases it would, but not in</p> <p>18 all cases.</p> <p>19 Q. Do you know if Rick Paterson's</p> <p>20 incentive comp was greater than Nadine's</p> <p>21 incentive comp in 2007?</p> <p>22 MR. BATTAGLIA: Objection.</p> <p>23 A. I don't know.</p> <p>24 Q. Is it likely?</p> <p>25 A. Likely, but I don't know.</p>
<p style="text-align: right;">Page 82</p> <p>1 B. F. LIVOLSKI</p> <p>2 managers the -- our financial products group</p> <p>3 would in New York would assist in putting</p> <p>4 those novations together. There are not many,</p> <p>5 to my knowledge, new derivative transactions,</p> <p>6 but there are a lot of outstanding</p> <p>7 transactions that are client based that would</p> <p>8 like to see unwound.</p> <p>9 Q. Could the financial products group</p> <p>10 in New York have handled derivatives if Rick</p> <p>11 Paterson was laid off in November of 2008?</p> <p>12 A. Difficult because we -- part of</p> <p>13 the business plan was to put a derivatives</p> <p>14 person in geographic locations around the</p> <p>15 country to provide more focus.</p> <p>16 Q. Do you know how much money Rick</p> <p>17 Paterson was making in 2008?</p> <p>18 A. I haven't any idea.</p> <p>19 Q. Managing directors generally make</p> <p>20 more than directors?</p> <p>21 A. In most cases, but not in all</p> <p>22 cases.</p> <p>23 Q. Do you know if Rick Paterson was</p> <p>24 making more money than Nadine Mentor?</p> <p>25 A. I couldn't say that as a fact, but</p>	<p style="text-align: right;">Page 84</p> <p>1 B. F. LIVOLSKI</p> <p>2 Q. Did you ever know which clients</p> <p>3 Nadine covered?</p> <p>4 MR. BATTAGLIA: Objection.</p> <p>5 A. I knew she had spent time working</p> <p>6 on Connecticut. I knew that she was part of</p> <p>7 the Virgin Islands team. There was discussion</p> <p>8 early on about having her work in south</p> <p>9 Florida. But specifically, no, except for</p> <p>10 those two.</p> <p>11 Q. I am handing you a document that's</p> <p>12 been marked as Plaintiff's Exhibit 379.</p> <p>13 MR. DATOO: For the record, I just</p> <p>14 want to make it clear that this is not</p> <p>15 one document, it is two documents just</p> <p>16 stapled together.</p> <p>17 MR. BATTAGLIA: I would ask, were</p> <p>18 there e-mails attached to these</p> <p>19 documents or were they standalone</p> <p>20 documents?</p> <p>21 MR. DATOO: I know it has your</p> <p>22 Bates stamp on it.</p> <p>23 MR. BATTAGLIA: I know. If you</p> <p>24 are going to ask him questions about</p> <p>25 these documents, it is sort of assume --</p>



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<p style="text-align: right;">Page 85</p> <p>1 B. F. LIVOLSKI</p> <p>2 I will wait and see if you lay a</p> <p>3 foundation for his knowledge of them.</p> <p>4 Q. Did you have an opportunity to</p> <p>5 review the document?</p> <p>6 A. Thank you.</p> <p>7 Q. Have you had an opportunity to</p> <p>8 review it?</p> <p>9 A. I have, yes.</p> <p>10 Q. Have you seen any of these</p> <p>11 documents before?</p> <p>12 A. I don't recall them.</p> <p>13 Q. Do you recall if Nadine Mentor</p> <p>14 covered Miami Dade County?</p> <p>15 MR. BATTAGLIA: Objection.</p> <p>16 A. She may have been one of the</p> <p>17 bankers assigned to it.</p> <p>18 Q. Do you know who had the primary</p> <p>19 relationship with Miami Dade County?</p> <p>20 A. Yeah. I mean, as far as I have</p> <p>21 known historically it would have been Norm</p> <p>22 Pellegrini.</p> <p>23 Q. Do you know who is the lead banker</p> <p>24 for Miami Dade County?</p> <p>25 MR. BATTAGLIA: Objection.</p>	<p style="text-align: right;">Page 87</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. I couldn't say that she was the</p> <p>3 primary banker. It was probably Mike Baldwin,</p> <p>4 but I -- but she very well could have been</p> <p>5 part of the team.</p> <p>6 Q. Do you know if Nadine covered</p> <p>7 Miami Dade Expressway Authority?</p> <p>8 A. She may have.</p> <p>9 Q. Do you know who was the lead</p> <p>10 banker?</p> <p>11 A. I would envision that it was Norm</p> <p>12 Pellegrini.</p> <p>13 Q. Do you know, are you guessing?</p> <p>14 A. I am guessing.</p> <p>15 Q. Do you know who the primary</p> <p>16 relationship with Miami Dade Expressway</p> <p>17 Authority was?</p> <p>18 A. Excuse me?</p> <p>19 Q. Do you know who had the primary</p> <p>20 relationship with Miami Dade Expressway?</p> <p>21 A. I would make the assumption it was</p> <p>22 Norm Pellegrini because he handled those</p> <p>23 accounts for many years.</p> <p>24 Q. Do you know if Nadine covered the</p> <p>25 City of North Miami?</p>
<p style="text-align: right;">Page 86</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. I would have to say it would be</p> <p>3 Norm Pellegrini.</p> <p>4 Q. Do you know that or are you</p> <p>5 guessing?</p> <p>6 A. Well, logical conclusion would be</p> <p>7 that if you are the responsible -- if you are</p> <p>8 the senior banker for the account and you have</p> <p>9 the relationship, you are technically the lead</p> <p>10 banker. That doesn't necessarily mean you are</p> <p>11 working on that account day to day, but are</p> <p>12 technically the lead banker.</p> <p>13 Q. Do you know if Nadine covered the</p> <p>14 City of Miami?</p> <p>15 MR. BATTAGLIA: Objection.</p> <p>16 A. Possibly.</p> <p>17 Q. Do you know who was the lead</p> <p>18 banker for that client?</p> <p>19 A. No.</p> <p>20 Q. Do you know who was the person</p> <p>21 with primary responsibility for the</p> <p>22 relationship?</p> <p>23 A. I can't -- I have no idea.</p> <p>24 Q. Do you know if Nadine covered</p> <p>25 Miami Dade schools?</p>	<p style="text-align: right;">Page 88</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. Can you are you repeat, please?</p> <p>3 Q. Do you know if Nadine covered the</p> <p>4 City of North Miami?</p> <p>5 A. I don't know.</p> <p>6 MR. BATTAGLIA: Objection.</p> <p>7 Q. Do you know who had the primary</p> <p>8 relationship of that client?</p> <p>9 A. I don't know.</p> <p>10 Q. Do you know if Nadine covered City</p> <p>11 of North Miami CRA?</p> <p>12 A. I don't know.</p> <p>13 Q. Do you know who was the lead</p> <p>14 banker for that client?</p> <p>15 A. I don't know.</p> <p>16 Q. Do you know who had the primary</p> <p>17 relationship with that client?</p> <p>18 A. I don't know.</p> <p>19 Q. Do you know if Nadine covered</p> <p>20 Broward County?</p> <p>21 A. She probably was involved in</p> <p>22 Broward County, yes.</p> <p>23 Q. Do you know who was the lead</p> <p>24 banker for Broward County?</p> <p>25 A. There I think it was Norm</p>



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1 B. F. LIVOLSKI  
2 Pellegrini.  
3 Q. Do you know who had the primary  
4 relationship with Broward County?  
5 A. It would have been Norm  
6 Pellegrini.  
7 Q. Do you know if Nadine covered the  
8 City of Hollywood, Florida?  
9 A. I don't know.  
10 Q. Do you know who was the lead  
11 banker for that client?  
12 A. I don't know.  
13 Q. Do you know who had the primary  
14 relationship with that client?  
15 A. I don't know.  
16 Q. Do you know if Nadine covered the  
17 City of Hollywood Beach CRA?  
18 A. I have no idea.  
19 Q. Do you know who was the lead  
20 banker?  
21 A. I have no idea.  
22 Q. Do you know who had the primary  
23 relationship with that client?  
24 A. No.  
25 Q. Do you know if Nadine covered

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1 B. F. LIVOLSKI  
2 Orange County Expressway Authority?  
3 A. No.  
4 Q. Do you know who was the lead  
5 banker for that?  
6 A. Norm Pellegrini.  
7 Q. Do you know who had the primary  
8 relationship with that client?  
9 A. Norm Pellegrini.  
10 Q. Do you know if she covered  
11 Pennbrook Pines, Florida?  
12 A. I don't know.  
13 Q. Do you know who was the lead  
14 banker for that client?  
15 A. I don't know.  
16 Q. Do you know who had the primary  
17 relationship with that client?  
18 A. I wouldn't know. Most of these  
19 clients, because they are irrelevant.  
20 Q. They are what?  
21 A. Irrelevant.  
22 Q. Why is that?  
23 A. Because they are small and  
24 typically don't do a lot and, you know,  
25 wouldn't be something that would hit my radar

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1 B. F. LIVOLSKI  
2 screen.  
3 Q. What do you consider a lot?  
4 A. I would consider a client that was  
5 in the market on at least an annual basis with  
6 sizable transactions. Miami Dade schools, MDX  
7 may have been, Orange Orlando Expressway,  
8 Broward County. Miami Beach wouldn't be  
9 considered that, Miami wouldn't be considered  
10 that.  
11 Q. What do you mean by "sizable  
12 transaction"?  
13 A. It could be a couple of hundred to  
14 \$500 million transactions.  
15 Q. The value of the transaction?  
16 A. The principal amount of the  
17 transaction.  
18 Q. And is the principal amount of the  
19 transaction tied to the revenue that Citi  
20 generates from the transaction?  
21 A. It would be likely we get paid a  
22 percentage of the principal amount.  
23 Q. Do you know if Nadine covered the  
24 City of Atlanta?  
25 A. I am not sure. Possibly.

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1 B. F. LIVOLSKI  
2 Q. Do you know who was the lead  
3 banker for that client?  
4 A. Again, it would have been Guy  
5 Logan.  
6 Q. Do you know who had the primary  
7 relationship with that client?  
8 A. It would have been Guy Logan.  
9 Q. Do you know if Nadine covered Cobb  
10 County Georgia?  
11 A. Possibly.  
12 Q. Do you know who the lead banker  
13 was for that client?  
14 A. It would have been either Noga,  
15 Ray Noga, Rick Paterson or Guy Logan.  
16 Q. Do you know who had the primary  
17 relationship with that client?  
18 A. It would have been either one of  
19 those three probably, Ray Noga.  
20 Q. Do you know if Nadine covered  
21 Fulton County Georgia?  
22 A. I have no idea.  
23 Q. Do you know who was the lead  
24 banker for that client?  
25 A. Ray Noga.



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<p style="text-align: right;">Page 93</p> <p>1 B. F. LIVOLSKI</p> <p>2 Q. Do you know who had the primary</p> <p>3 relationship with that client?</p> <p>4 A. Ray Noga.</p> <p>5 Q. Do you know if Nadine covered</p> <p>6 Fulton County Recreational Development?</p> <p>7 A. I have no idea.</p> <p>8 Q. Do you know who was the lead</p> <p>9 banker for that client?</p> <p>10 A. I would make an assumption it was</p> <p>11 Guy Logan because he was responsible for</p> <p>12 Atlanta.</p> <p>13 Q. Do you know who had the primary</p> <p>14 relationship of that client?</p> <p>15 A. I think it would have been Guy</p> <p>16 Logan for the same reason I just stated.</p> <p>17 Q. Do you know if Nadine covered</p> <p>18 Virgin Islands Public Finance Authority?</p> <p>19 A. She has spent time there.</p> <p>20 Q. Do you know if she covered that</p> <p>21 client?</p> <p>22 MR. BATTAGLIA: Objection.</p> <p>23 A. I would assume she did, yes.</p> <p>24 Q. Do you know what I mean when I say</p> <p>25 "covered"?</p>	<p style="text-align: right;">Page 95</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. I would assume she was the lead</p> <p>3 banker if James Haddon wasn't in public</p> <p>4 finance at that time.</p> <p>5 Q. And would she have been the</p> <p>6 primary relationship with the Virgin Islands</p> <p>7 if James Haddon wasn't there at the time?</p> <p>8 A. She probably would have been the</p> <p>9 primary relationship.</p> <p>10 Q. Do you know if Nadine covered the</p> <p>11 City of Detroit?</p> <p>12 A. She may have been part of a team</p> <p>13 that covered Detroit.</p> <p>14 Q. Do you know who was the lead</p> <p>15 banker for that client?</p> <p>16 A. If it wasn't Haddon, it was Guy</p> <p>17 Logan.</p> <p>18 Q. And do you know who had the</p> <p>19 primary relationship with that client?</p> <p>20 A. If it wasn't Haddon it was Guy</p> <p>21 Logan.</p> <p>22 Q. Did you discuss any of these</p> <p>23 clients when you spoke to Mr. Pellegrini?</p> <p>24 A. I don't recall.</p> <p>25 Q. Let me just finish asking the</p>
<p style="text-align: right;">Page 94</p> <p>1 B. F. LIVOLSKI</p> <p>2 A. Well, you could define for me if</p> <p>3 you like.</p> <p>4 Q. You have been answering the</p> <p>5 questions, so in your mind what does that word</p> <p>6 mean?</p> <p>7 A. Covered means being involved in an</p> <p>8 account.</p> <p>9 Q. Okay. Do you know who was the</p> <p>10 lead banker for Virgin Islands Government</p> <p>11 Public Finance Authority?</p> <p>12 A. I don't know for sure, but it</p> <p>13 could very well have been James Haddon. He</p> <p>14 was the original relationship and I don't know</p> <p>15 if he was still in public finance in '08.</p> <p>16 Q. If he was not in public finance in</p> <p>17 '08, do you know who would be the lead banker</p> <p>18 for that client?</p> <p>19 A. Nadine probably.</p> <p>20 Q. Do you know if Nadine covered</p> <p>21 Virgin Islands Water and Power Authority?</p> <p>22 A. I would assume she covered</p> <p>23 everything in the Virgin Islands.</p> <p>24 Q. Do you know if she was the lead</p> <p>25 banker for anything in the Virgin Islands?</p>	<p style="text-align: right;">Page 96</p> <p>1 B. F. LIVOLSKI</p> <p>2 question.</p> <p>3 A. I thought you had finished.</p> <p>4 Q. It is okay. My voice makes me</p> <p>5 stop sometimes.</p> <p>6 Do you recall discussing any of</p> <p>7 these clients with Mr. Pellegrini when you</p> <p>8 were identifying Nadine for layoff?</p> <p>9 A. I don't recall discussing</p> <p>10 individual clients like that. I don't recall.</p> <p>11 Q. If you can flip over to the second</p> <p>12 page.</p> <p>13 A. Okay.</p> <p>14 Q. Do you see the section entitled</p> <p>15 "State of Connecticut"?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know if Nadine covered any</p> <p>18 clients for the State of Connecticut?</p> <p>19 A. Nadine --</p> <p>20 MR. BATTAGLIA: Objection. You</p> <p>21 may answer.</p> <p>22 A. Nadine was part of the team that</p> <p>23 covered the State of Connecticut.</p> <p>24 Q. And so would she have covered GO?</p> <p>25 A. She would have been part of the</p>

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1 B. F. LIVOLSKI  
2 review the document?  
3 A. I have, thank you.  
4 Q. And have you seen this document  
5 before?  
6 A. My lawyer showed it to me.  
7 Q. And do you recall engaging in this  
8 e-mail exchange with Mr. Noga?  
9 A. I don't recall.  
10 Q. Do you have any reason to doubt  
11 that you did not?  
12 A. That I did not?  
13 Q. Engage in this e-mail exchange.  
14 A. I have no reason to doubt that we  
15 did.  
16 Q. Now Mr. Noga suggested closing the  
17 southeast group, correct, eliminating the  
18 southeast group?  
19 A. According to this e-mail, yes.  
20 Q. If I could direct your attention  
21 to your e-mail on the bottom of the first  
22 page, it is from you to Mr. Noga, Frank Chin  
23 to yourself, do you see it is right on the  
24 bottom of the page?  
25 A. Yes, I see it.

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1 B. F. LIVOLSKI  
2 Q. And you wrote:  
3 "Ray," because there is a word  
4 chopped off it says "I don't know what to say.  
5 Your suggestion is not a solution. Why don't  
6 you make a reasonable proposal."  
7 Why was Ray Noga's proposal  
8 unreasonable?  
9 A. Well, first of all, you know Ray  
10 could express his opinion any way he wants.  
11 It really wasn't his job to, you know, offer  
12 up his idea of what should be done in the  
13 southeast region.  
14 And secondly, the reason that Norm  
15 and his team was hired initially wasn't  
16 because we wanted to take some of the burden  
17 off Ray Noga, it is that we wanted to perform  
18 in areas that historically in the southeast  
19 and in Florida we had not. Furthermore, it  
20 was to get Ray Noga to develop and work and  
21 grow the southwest region.  
22 So this -- to me this whole e-mail  
23 was the result of moving or trying to operate  
24 in a place like Texas, finding out it was  
25 harder than he thought it would be and trying

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1 B. F. LIVOLSKI  
2 to move back into an area that he had some  
3 comfort with. It was a preposterous proposal.  
4 Q. What group was Rick Paterson in?  
5 A. He was in the derivative group  
6 until -- my dates may be incorrect, but he  
7 moved back into the southeast group when we in  
8 effect unwound, you know, specific derivative  
9 people around the country. And it may have  
10 been '07, '08, I don't remember when that took  
11 place. So he moved back into the southeast  
12 group.  
13 Q. Is there a document that would  
14 reflect when he was a member of the southeast  
15 group?  
16 A. I am sure there is some employment  
17 record that would indicate when he became a  
18 direct report of Norm Pellegrini.  
19 Q. Now the next sentence reads:  
20 "Rick's name surfaced because we  
21 need MD's."  
22 What did you mean by that?  
23 A. Well, obviously thanks for  
24 pointing that out, it was obvious that, you  
25 know, when we were putting together a list,

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1 B. F. LIVOLSKI  
2 Frank was given a directive that if we  
3 could -- you know, if there are some MD's that  
4 could be offered up, put up we should try to  
5 do that. So that's what I meant by it.  
6 Q. Is that the only directive you  
7 remember Frank Chin giving you?  
8 MR. BATTAGLIA: Objection.  
9 A. I didn't remember that one.  
10 Q. Does this refresh your  
11 recollection?  
12 A. It does.  
13 Q. And do you know why Frank Chin  
14 wanted MD's on the list?  
15 MR. BATTAGLIA: Objection. You  
16 may answer.  
17 A. An assumption would be that it was  
18 the benefit of MD title reductions and salary  
19 income.  
20 Q. What's the significance of the  
21 title reductions?  
22 MR. BATTAGLIA: Objection.  
23 A. Well, the more -- the less MD's  
24 you have in a division, the assumption would  
25 be that there would be less of a pay package

